



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Washington State Transportation Commission

☒ Permanent Rule
☐ Emergency Rule

Effective date of rule:

Permanent Rules

☒ 31 days after filing.
☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

☐ Immediately upon filing.
☐ Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes ☐ No ☒ If Yes, explain:

Purpose: The commission is required to establish toll rates for vehicles using the Tacoma Narrows Bridge that are adequate to cover the debt, operations and maintenance. This rule defines terms for toll facilities and establishes the toll rates for the Tacoma Narrows Bridge. In addition, the rule defines what vehicles are exempt from paying tolls and when authorized emergency vehicles may apply for credits.

Citation of existing rules affected by this order: None.

Repealed:
Amended:
Suspended:

Statutory authority for adoption: RCW 47.56.030; RCW 47.46.100.

Other authority :

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 07-10-128 on May 2, 2007 (date).

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: June 5, 2007

NAME (TYPE OR PRINT)

Reema Griffith

SIGNATURE

TITLE

Executive Director

CODE REVISER USE ONLY

CODE REVISER USE ONLY

STATE OF WASHINGTON

JUN 8 2007

TIME 11:00

FILE 07-13-010

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>10</u>	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Chapter 468-270 WAC

SETTING TOLL AMOUNTS FOR TOLL FACILITIES IN WASHINGTON STATE

NEW SECTION

WAC 468-270-010 Who sets the toll rates and exemptions? The Washington state transportation commission determines and establishes toll rates for toll facilities in Washington pursuant to RCW 47.56.030; 47.46.100 (Tacoma Narrows Bridge); and RCW 47.56.403 (SR 167 HOT lanes).

NEW SECTION

WAC 468-270-020 Who collects the tolls? The department is ultimately responsible for collecting tolls. However, the department may contract with one or more independent toll collection companies to manage the day-to-day toll collection activities at its various toll facilities. All toll related revenues collected by any independent toll collection company through WSDOT are payable to the state of Washington.

NEW SECTION

WAC 468-270-030 Definitions. "Authorized emergency vehicle" includes but is not limited to a vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington state patrol, ambulance service, public or private or any other emergency vehicle as defined in RCW 46.04.040.

"Bona fide emergency" occurs when an authorized emergency vehicle, as defined herein, responds to or returns from an emergency call.

"Cash customer" means a toll customer who is heading eastbound and is paying the toll in cash on a trip-by-trip basis.

"Citizens advisory committee" means the citizens committee

established by RCW 47.46.090 that advises the transportation commission on Tacoma Narrows Bridge toll rates.

"Department" means the Washington state department of transportation (WSDOT).

"Electronic toll collection (ETC) lane" means a lane in which the electronic toll collection system will read the transponder of each vehicle and automatically collect the toll without requiring the vehicle to slow its speed or stop.

"Good To Go!™" is the name of the department's electronic toll collection system.

"Good To Go!™" customer" means a toll customer who participates in the department's "Good To Go!™" toll collection system.

"High-occupancy toll (HOT) lanes" means one or more lanes of a highway that charges tolls as a means of regulating access to or the use of the lanes in order to maintain travel speed and reliability. HOT lane supporting facilities include, but are not limited to, approaches, enforcement areas, improvements, buildings, and equipment.

"Transponder" means a radio frequency identification (RFID) unit attached to a toll customer's vehicle that transmits a radio signal to a reader mounted in the toll facility. The purpose of the transponder is to automatically identify the toll customer's vehicle as it passes through the toll facility. You will receive a transponder when you open a "Good to Go!™" account.

"Transportation commission" means the Washington state transportation commission whose duties and composition are set out in chapter 47.01 RCW.

NEW SECTION

WAC 468-270-040 How are the tolls determined? In determining toll amounts, the transportation commission considers data and information provided by the department of transportation, public opinion and advice from any required citizen advisory committee. For the Tacoma Narrows Bridge only, in accordance with chapter 47.46 RCW, the commission must consider the toll rate advice of the citizen advisory committee and must set toll amounts that cover the debt and operations and maintenance until the indebtedness is repaid as required by law.

NEW SECTION

WAC 468-270-050 What toll facilities are currently subject to this chapter? Currently, the Tacoma Narrows Bridge and SR 167 HOT lanes are covered by this chapter.

NEW SECTION

WAC 468-270-060 How often will the toll rates for each toll facility be reviewed for potential change? The toll rates will be reviewed and subject to change at least annually and more often as necessary to ensure the toll revenue of each facility is meeting the payment requirements and/or traffic efficiency requirements for that facility.

NEW SECTION

WAC 468-270-070 What will the toll rates be?

Rate table \$3.00 cash/\$1.75 "Good to Go!™" (two axle vehicles)

Tacoma Narrows Bridge			
	Cash toll rate	"Good To Go!™" toll rates	
2 axle	\$3.00	\$1.75	
3 axle	\$4.50	\$2.65	(3)
4 axle	\$6.00	\$3.50	
5 axle	\$7.50	\$4.40	(3)
6 or more axles	\$9.00	\$5.25	
SR 167 HOT lanes			
To be determined			

Notes:

- (1) The base toll rate is the toll rate per axle. It is only used to calculate multi-axle rates, which are calculated as a multiplier of the base toll rate (\$1.50 for cash and \$0.875 for "Good to Go!™" toll rates).
- (2) The "Good To Go!™" toll rates are in effect through June 30, 2008, or until changed by the commission. If no further action is taken by the commission, on July 1, 2008, the cash toll rate column becomes the toll rate for all vehicles.
- (3) Rate rounded up to nearest five cents.

NEW SECTION

WAC 468-270-080 When are these toll rates in effect? The toll rates for each facility will take effect upon commencement of the tolling program on each new toll facility. Check the WSDOT web site at wsdot.wa.gov/goodtogo for updated information on the opening dates for the tolling programs.

(1) For the Tacoma Narrows Bridge toll rates will remain in effect until changed by the commission or removed due to final repayment of the project as provided by law.

(2) For the SR 167 HOT lanes, the tolls will remain in effect until changed by the commission.

NEW SECTION

WAC 468-270-090 What vehicles are exempt from paying tolls on the Tacoma Narrows Bridge? Except as provided herein, all vehicles crossing the Tacoma Narrows Bridge in an eastbound direction must pay the required toll. All vehicles that use the ETC lanes on the Tacoma Narrows Bridge must have a transponder and a valid "Good To Go!™" account. Emergency vehicles not equipped with transponders must pay cash as a cash customer.

(1) Only the following vehicles providing service directly to the Tacoma Narrows Bridge are exempt from paying tolls, but must be equipped with transponders:

(a) Washington state department of transportation (WSDOT) maintenance vehicles directly involved in bridge and roadway maintenance on the Tacoma Narrows Bridge;

(b) Washington state patrol vehicles directly providing service to the SR 16 corridor in the vicinity of the Tacoma Narrows Bridge;

(c) Vehicles under the Tacoma Narrows Bridge design build contract that must cross the bridge as part of their construction duties to complete the requirements of the design build contract. This exemption status will expire on July 1, 2008, or upon completion of their construction duties, whichever comes first.

(2) Authorized emergency vehicles on bona fide emergencies as defined herein may apply for credit for their emergency trips and for the return trip from an emergency call.

(a) To be eligible for a credit, an authorized emergency vehicle must be equipped with a transponder and have an authorized prepaid account.

(b) Emergency vehicles that use the ETC lanes on a bona fide emergency may apply for a credit for each emergency trip. The credit must be applied for within six months of the trip date. The department will establish and oversee the procedure for emergency vehicle toll credits.

NEW SECTION

WAC 468-270-100 What vehicles are exempt from paying tolls on the SR 167 HOT lanes? RCW 47.56.403 establishes an exempt category of vehicles. The transportation commission may include other exempt vehicles before tolling commences.